United Nations A/C.5/55/20

General Assembly

Distr.: General
30 October 2000

Original: English

Fifty-fifth session
Fifth Committee
Agenda item 118
Programme planning

Letter dated 24 October 2000 from the Chairman of the Third Committee to the Chairman of the Fifth Committee

I have the honour to refer to your letter of 19 September 2000 in which you invited the Third Committee to consider the relevant chapters of the medium-term plan for the period 2002-2005. That letter was published as a document of the Third Committee (A/C.3/55/6).

I should like to inform you that the Third Committee held a special meeting on 19 October 2000 in which it heard statements by the representatives of Cuba, Bangladesh, Australia, Pakistan, China, Chile, Germany, the United Kingdom of Great Britain and Northern Ireland, the Syrian Arab Republic, Algeria, Mexico and Egypt (see the relevant summary record (A/C.3/55/SR.28)). While it has not been possible to arrive at a consolidated set of comments for the programmes, delegations were invited also to submit individual comments in writing. I am therefore enclosing herewith the views of Committee members that have submitted written comments (see annex).

(*Signed*) Yvonne **Gittens-Joseph**
Chairperson of the Third Committee

00-71598 (E) 311000

Annex

Views of Third Committee members on programme 19 of the medium-term plan for the period 2002-2005

Australia

I refer to the invitation to members of the Third Committee of the fifty-fifth session of the General Assembly to make written comments on the proposed medium-term plan for the period 2002-2005 to facilitate a response to the letter of the Chairman of the Fifth Committee (A/C.3/55/6). The delegation of Australia offers the following comments.

We welcome the introduction in this medium-term plan of indicators of achievement. The setting of performance indicators enables performance to be measured, problems of successes to be more readily identified and responses in the form of resource allocation and priority-setting to be more timely and better targeted. Given the often very serious consequences of violation or inadequate protection and promotion of human rights, well-targeted and calibrated programmes are particularly important in this area. This also makes it more important that indicators be well defined so as to facilitate effective measurement of performance. While we welcome the introduction of indicators of achievement, we see room for their further refinement, so that they relate closely to the objectives, the strategy and expected accomplishments defined in the plan. In particular we see value in including, in addition to quantitative indicators, those that enable some qualitative appraisal, such as levels of satisfaction of parties involved in processes.

In relation to subprogramme 1 of programme 19, we note (in para. 19.5) that one of the primary objectives is to realize the right to development. We consider this to be inappropriate as an objective, both because this right is by definition progressively realized so the objective could never be fulfilled, and because the primary actors in its realization are States and the role of the United Nations is to assist them in this work. With this understanding, we endorse the importance accorded to pursuit of the integrated and multidimensional strategy on the right to development (in para. 19.7). However we stress that the strategy should respond to work proceeding in the Commission on Human Rights to better articulate the elements of the right and on how the United Nations can best assist in its realization. In this respect, we believe that, while there are many factors that impact on realization of the right, the primary one is the quality of governance of the State concerned, and that this should be reflected in the strategy.

In relation to subprogramme 2, we note the important role of the United Nations in supporting the work of the human rights treaty-monitoring bodies as reflected in paragraph 19.13 (a). However we do not see this key element of the strategy adequately reflected in expected accomplishments or indicators of achievement for the subprogramme. While reduction in the backlog of States parties' reports and individual complaints currently before reviewing mechanisms (para. 19.14 (b)) and reduction in the time lapse between submission of a State party report and its examination by the relevant treaty-monitoring body, or receipt of a complaint and its review by the appropriate mechanism (para. 19.15 (c)), are both sound indicators, there would be value in adding complementary qualitative indicators, such as the degree of satisfaction of involved parties with the process, so

as to give a more complete picture of the effectiveness of the support provided to the bodies and mechanisms.

In relation to subprogramme 3, we welcome the priority accorded to advisory services and technical cooperation on national human rights action plans, national human rights institutions and human rights education (para. 19.18). However, we see value in broader indicators of achievement than simple numbers of plans adopted or institutions established (para. 19.23). We also note and welcome the human rights emergency response mechanism referred to in paragraph 19.20. We see a critical role for the United Nations and the United Nations High Commissioner for Human Rights in this area which she is already fulfilling in relation to situations like those in East Timor, Kosovo, Chechnya and Palestine. We strongly support a reconfiguration of the resources of her Office to ensure that it is able to provide timely and effective support to her when she is responding to emergency situations, as provided for in her mandate or as specifically mandated by the Commission on Human Rights or other relevant United Nations bodies.

Indonesia

The following revisions are requested to the proposed medium-term plan for the period 2002-2005 as contained in document A/55/6 (Prog. 19):

1. Paragraph 19.7: the following words should be inserted in the first sentence after the words "United Nations organizations": "and its special agencies and other major international institutions";

   Rationale: in addressing the international aspects of the realization of the right to development, partnership should be developed not only among the United Nations organs but also with other major international institutions such as the International Monetary Fund and the World Bank.

2. Paragraph 19.8: the following words should be inserted in the first sentence after the words "promoting democracy": "at both national and international levels";

   Rationale: to promote democracy at the international organizations level, among others, by giving more say to the developing countries in the global decision-making process, so as to help create a conducive international economic environment for the realization of the right to development.

3. Paragraph 19.13 (d): the following words should be inserted after the word "proposals": "and implementation of the recently adopted decisions by relevant United Nations bodies";

   Rationale: to ensure that this paragraph is in line with recent developments, among others, Commission on Human Rights decision 2000/109 and the Economic and Social Council decision to endorse that Commission decision.

4. Paragraph 19.18: the following words should be inserted in the second sentence after the word "provided": "through the cost-effective and efficient implementation of technical cooperation programmes";

Rationale: to ensure that, in the strategy, the provisions of the technical assistance are implemented in a responsible manner.

5. Paragraph 19.23 (c): the following words should be inserted after the words "human rights action plans": "established and implemented"; and the following words should be inserted before the words "national human rights institutions established": "enumeration of";

Rationale: indicators of achievements should include the enumeration of not only established national plans of actions but also those plans of actions already implemented.

Japan

As a member of the Committee for Programme and Coordination (CPC), the delegation of Japan participated actively in the discussions on the medium-term plan for the period 2002-2005. Japan endorses the consensus reached in CPC on most of the programmes related to the work of the Third Committee.

It is regrettable, however, that a consensus was not reached on programme 19, Human rights. Japan will continue to participate actively in the discussion of the medium-term plan in the Fifth Committee with a view to achieving such a consensus. At this stage, it wishes to make the following points concerning the human rights programme:

1. Japan has been a strong supporter of the activities of the Office of the United Nations High Commissioner for Human Rights. It supports the general direction of the medium-term plan and attaches particular importance to subprogramme 3, Advisory services, technical cooperation, support to human rights fact-finding procedures and field activities.

2. Japan believes that it is possible to introduce indicators for the human rights programme, as they have already been introduced for the rest of the programmes of the medium-term plan. However, there is still some room for discussion on what kind of indicators would be appropriate in the field of human rights.

3. Regarding paragraph 19.7, last sentence, the text reads only as follows: "Cooperation with international and national development agencies and relevant non-governmental organizations in consultative status with the Economic and Social Council will be strengthened." Japan is of the view that cooperation between the Office of the United Nations High Commissioner for Human Rights and relevant non-governmental organizations that do not have consultative status with the Council but are active in the field should not be excluded. For that reason, it wishes to revise this sentence to read, for example: "... development agencies and relevant non-governmental organizations, that are active in the field, including those non-governmental organizations in consultative status with the Economic and Social Council".

4. The implementation of human rights instruments is one of the most important areas of activity with regard to the promotion and protection of human rights in the international community, and the significance of the activities of human rights treaty bodies, therefore, will continue to increase.

Strengthening these treaty bodies and ensuring that they function more effectively and efficiently are essential, and there have been discussions in the United Nations forums on reforming them towards those ends.

In our consideration of the medium-term plan for the period 2001-2005, programme 19, Human rights, and especially of subprogramme 2 (Supporting human rights treaty bodies and organs), it is necessary to give due attention to such reform, which should be carried out within the existing mandate under the existing human rights instruments and within the regular budget of the United Nations.